

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD R. CADMUS JR.	:	
<i>Plaintiff,</i>	:	
	:	
v.	:	CIVIL ACTION NO.: 18-04775
	:	
BRADLEY G. POLLACK, ET AL.,	:	
<i>Defendants.</i>	:	

JOINT MOTION TO STAY PROCEEDINGS TO  
PURSUE SETTLEMENT

A District Court has broad discretion to stay proceedings as an incident to its power to control its own docket. *Clinton v. Jones*, 520 U.S. 681, 706, 117 S. Ct. 1636, 1650, 137 L. Ed. 2d 945 (1997); *see also Ethicon, Inc. v. Quigg*, 849 F.2d 1422, 1426-27 (Fed.Cir.1988).

Plaintiff Richard R. Cadmus Jr. *pro se* (“Cadmus”) and Defendant Deborah R. Whitlock, by counsel, and Defendant Bradley G. Pollack *pro se* (the “Parties”) have recently entered into a Release and Settlement Agreement(“the Agreement”) and seemingly resolved the dispute in its entirety in the above captioned case. However, this resolution is pending another U.S. District Court’s approval and subsequent distribution of proceeds from the [related] Jones case - recent settlement<sup>1</sup>.

---

<sup>1</sup> On or around July 21, 2020, agents for the Jones Estate, by counsel, Christopher E. Brown, Esq., entered into a settlement agreement in the Jones case (Case No. 3:13-cv-00068) which is directly related to Plaintiff’s alleged billing dispute with the Parties in the instant case. Thereafter, Attorney Brown contacted Plaintiff Cadmus and began discussions to resolve the matter and dispute between the Parties in an effort to facilitate an end to all related litigation. With the cooperation of Defendant Bradley G. Pollack *pro se* and Defendant Deborah R. Whitlock, by counsel, the Parties have entered into the Agreement pending the U.S. District Court for the Northern District of West Virginia’s acceptance of the Jones case wrongful death proposed settlement between the Jones Estate and the City of Martinsburg, WV *et al.* and the subsequent distribution of said proceeds therefrom.

Therefore, the Parties believe a seventy-one (71) day stay of proceedings to pursue settlement is necessary to facilitate and finalize the Agreement and will minimize further unnecessary litigation costs and burdens. As such, the Parties request a stay in the proceedings for seventy-one (71) days from today's date and an Order which lifts the stay on November 6, 2020 to the extent the Parties have not filed i.) a joint stipulation of dismissal pursuant to Fed. R. Civ. P 41(1)(A)(ii) or ii.) a joint motion to extend the stay of further proceedings on or before said date.

WHEREFORE, the Parties respectfully request that this Court grant this Joint Motion to Stay Proceedings to Pursue Settlement. A proposed Order is attached hereto.

Respectfully submitted,

Dated: August 28, 2020

/s/ Richard R. Cadmus Jr.  
RICHARD R. CADMUS JR.  
1258 James St.  
Baltimore, MD 21223  
*Pro se Plaintiff*

Dated: August 28, 2020

CATHEY & STRAIN, LLC

/s/ Matthew A. Cathey  
DENNIS T. CATHEY, ESQUIRE  
MATTHEW A. CATHEY, ESQUIRE  
649 Irvin Street  
P.O. Box 689  
Cornelia, GA 30531  
(706) 778-2601

KANE, PUGH, KNOELL, TROY  
& KRAMER, LLP

/s/ Paul C. Troy  
PAUL C. TROY, ESQUIRE  
510 Swede Street  
Norristown, PA 19401  
(610) 275-2000

*Attorneys for Defendant  
Deborah R. Whitlock*

Dated: August 28, 2020

/s/ Bradley G. Pollack  
BRADLEY G. POLLACK, ESQ.  
ATTORNEY AT LAW  
753 South Main Street  
Woodstock, Virginia 22664  
(540)459-8600  
*Pro se Defendant*